

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Vitale E. Verin et al.
Appl. No. : 10/524,176
Filed : February 10, 2005
For : EXPANDABLE MULTI-LAYER TUBULAR STRUCTURE AND
PRODUCTION METHOD THEREOF

Ms Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND INFORMATION DISCLOSURE STATEMENT

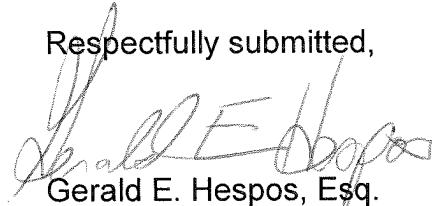
Sir:

This Information Disclosure Statement includes a copy of Form PTO-1449 that identifies two U.S. Japanese references. Copies of the Japanese references are attached as well along with English language Abstracts. These references were cited recently in an office action from the Chinese Patent Office. Neither of the references is particularly relevant to the allowed claims. In this regard, JP 8-257128 is directed to a medical tube formed from metal and having a spiral groove. The outer circumference of the metal tube 32 may be covered with a resin film or a resin tube to improve a sliding property. There is no suggestion in JP 8-257128 of the claimed construction of a tubular structure with inner and outer layers formed from a metal or metal alloy secured in face-to-face engagement with one another to provide an integral metal-to-metal bond therebetween. JP 8-257128 also does not suggest recesses formed in one of the facing surfaces of the two layers extending partly towards the other surface of that layer. Still further, JP 8-257128 does not suggest any recesses filled with a medicinal product and does not suggest perforations extending entirely through the outer layer. As a result, JP 8-257128 is not "material to patentability" of any currently allowed claim.

JP 8-066356 reference discloses a medical treatment tube with circumferentially extending grooves into which a photo-responsive polymeric material is buried. Optical fibers extend longitudinally and intersect the grooves. Light is directed through the optical fibers and causes the photo-responsive polymeric material in the circumferential groove to expand or contract for bending the tube body. JP 8-066356 does not suggest a tube with inner and outer layers formed from a metal or metal alloy with their opposed surfaces being in face-to-face engagement to define an integral metal-to-metal bond therebetween. Additionally, JP 8-066356 does not teach or suggest recesses formed in one of the facing surfaces of the layers filled with a medicinal product and does not suggest perforations in the outer layer extending entirely therethrough. Accordingly, JP 8-066356 is not "material to patentability" of any of the allowed claims.

In view of the timing of this submission and the lack of materiality to patentability of these references, the Examiner merely is requested to place this Information Disclosure Statement in the file.

Respectfully submitted,



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Date: March 20, 2008